Docket No. GYN5012

MAR 1 3 2005 E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Licants: D. J. Smith et al.

Confirmation No.: 120

Serial No. : 10/699,045

Art Unit: 3731

Filed

: October 31, 2003

Examiner:

For

: Guide for Surgical Device for the Treatment of

Urinary Incontinence

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 1, 2005
(Date of Deposit)

Melissa J. Szanto
(Name of applicant, assignee, or Registered Representative)

/Melissa J. Szanto/
(Signature)

March 1, 2005
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on December 13, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with | the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or П Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is

accompanied by one of:

Statement in Accordance with §1.97(e)
(attached); or
Please charge Deposit Account No. 10-
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in §1.17(p).
In accordance with §1.97(d), this Information
Disclosure Statement is being filed after the mailing date of
either a Final Action under §1.113 or a Notice of Allowance
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Applicant(s) hereby petition(s) for consideration of this
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Accordance with §1.97(e) as set forth below and the fee of
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☐ Copies of only foreign patent documents and non-
patent literature are enclosed in accordance with 37 CFR 1.98
(a)(2). (The U.S. patents and each U.S. patent application
publication listed on the attached Form PTO-1449 are not
enclosed because this U.S. patent application was filed after
June 30, 2003 or this international application has entered the
national stage under 35 USC §371 after June 30, 2003 (see USPTO
waiver of requirement under 37 CFR 1.98 (a)(2)(i).
$oxed{\boxtimes}$ There are no listed references which are not in the
English language.
The relevance of those listed references which are
not in the English language is as follows:
Attached are copies of search report(s) from
corresponding patent application(s), which are listed on the
attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/GYN5012/MJS. This form is submitted in triplicate.

Respectfully submitted,

/Melissa J. Szanto/ Melissa J. Szanto Reg. No. 40,834 Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1365
DATED: March 1, 2005

PTO/SB/08A (08-00)

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GYN5012

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Confirmation Number 1201
Application Number 10/699,045
Filing Date 10/21/2003
First Named Inventor Daniel J. Smith
Group Art Unit 3731
Examiner Name

(use as many sheets as necessary)
Sheet 1 of 1

MAR 0 3 2005

U.S. PATENT DOCUMENTS

	Cite	U.S. Patent Docume	ent	Name of Patentee or Applicant of Cited Document		
Exam Initials		Number	Kind Code ² (if known)		Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		6,605,097	B1	Lehe et al.	08-12-2003	
	<u>. </u>					
				FOREIGN PATENT DOCUMENTS		

Exam Initials	Cite	Foreign Patent Document Office ³ Number ⁴ KindCode ⁵			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	Т ⁶
		wo	98/40114	A1	Medworks Corporation	09-17-1998		
(A 14)								

Cite Initials No.1 Cite Initials

Examiner Signature	Date Considered	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Confirmation Number 1201 Application Number 10/699,045 (\$UBINESSION UNDER MPEP 609 D Filing Date 10/31/2003 First Named Inventor Daniel J. Smith Group Art Unit 3731 MAR 0 3 2005 Page 1 of 1 Examiner Name Attorney Docket Number GYN5012 **U.S. PATENT DOCUMENTS** U.S. Patent Document PANEM! Name of Patentee or Applicant Pages, Columns, Lines, where relevant passages or relevant figures appear Kind Code of Cited Document Initials Number (if known) FOREIGN PATENT DOCUMENTS Foreign Patent Document Pages, Columns, Lines, where relevant passages or relevant figures Name of Patentee or Examiner Cite T^6 Applicant of Cited Document Initials No.1 Office³ Number⁴ KindCode5 appear OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), Examiner title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), Cite T² No. volume-issue number(s), publisher, city and/or country where published Initials* International Search Report dated February 7, 2005, for corresponding application PCT/US2004/034808. Examiner Date Signature

Considered